

IN THE UNITED STATES DISTRICT COURT

IN AND FOR THE DISTRICT OF DELAWARE

DAVID PRESTON, et al.,)
Plaintiffs,)
v.) C.A. No. 74-179
PAUL KEVE, et al.,)
Defendants.)

ORDER

On this 5th day of August, 1999, the Court having considered the Motion and Brief of Petitioner for Relief from the Consent Decree in this matter, finds the following:

- (1) That the Consent Decree has been in effect since 1976;
- (2) That under the ruling of Imprisoned Citizens Union v. Ridge, 169 F.3d 178 (1999), the Prison Litigation Reform Act, 110 Stat. 1321-66, codified at 18 U.S.C. §3626, a District court must terminate prospective relief in any civil action with respect to prison conditions if it was approved or granted in the absence of a finding by the court that the relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the right. 18 U.S.C. §3626(b)(2);
- (3) That no such concomitant finding was embodied in the 1976 Consent Decree;
- (4) That the Respondents have made no allegation of an ongoing violation of a federally protected right; and
- (5) That the Respondents have acceded as a matter of law to Petitioner's Motion; and
- (6) That the Court has reviewed the factual record and found that no further relief is

necessary. Therefore,

(7) That the Motion for Relief from the Consent Decree is Granted, and the Consent Decree is Terminated. SO ORDERED.

Dorothy M. Johnson